CWP No.1167 of 2005.

10.1.2006 Present: Mr. Ajay Sharma, Advocate, for the petitioner.

Mr. M.S. Chandel, Advocate General with Mr. D.C. Pathik, Addl. Advocate General, for the respondents.

In this writ petition, the petitioner is seeking a writ in the nature of mandamus directing the respondents to pay 95% grant-in-aid in regard to the post of Superintendent.

Learned Counsel for the petitioner has not been able to cite any law or provision of Education Code applicable to the privately managed schools that where only one post of Clerk is there, 95% grant-in-aid in regard to the post of Superintendent is to be released, especially when there is no provision of the post of Superintendent Grade II in the privately managed School. In such circumstances, this Court in exercise of its jurisdiction under Article 226 of the Constitution of India cannot give any direction to the Government to release 95% grant-in-aid in regard to the post of Superintendent Grade II.

Accordingly, the writ petition is dismissed.

In view of the dismissal of the writ petition CMP No.2197 of 2005 shall also stand dismissed.

(V.K. Jhanji), J.

January 10, 2006. **(Surjit Singh), J.**
(rc)